

Notice of Allowability

Application No.

10/084,313

Examiner

CUONG H. NGUYEN

Applicant(s)

CLARKE ET AL.

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/16/07 (the interview).
2. ☒ The allowed claim(s) is/are 1-40; formal drawings are accepted.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CUONG H. NGUYEN
Primary Examiner
Art Unit: 3661

DETAILED ACTION

1. This Office Action is the answer to the interview on 1/16/2007.
2. Claims 1-42 are pending in this application.

Drawings

3. This application has been filed with formal drawings which are acceptable.

Examiner's amendment:

4. According to an interview on 1/16/2007 with Mr. Trent A Kirk (Reg. No. 54,223), an examiner's amendment to the record appears below (because of redundancy in pending claims). Should the changes and additions be unacceptable to applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The pending abstract would be amended as:

- Claims 42-43 are canceled.

Allowable Subject Matter & Reason for Allowance

5. Independent claims 1, 15, 29, and 35 are considered non-obvious over closest references of Yu et al. (US Pat. 6,408,276) and Sakkappa because these references do not define an aircraft flight assignment method, an aircraft assignment system for generating an aircraft routing proposal, or a method to be used for generating an aircraft routing proposal, comprising means/steps for generating a flight network from the received information; means for modeling at least one of the maintenance and operational constraints
- Yu et al. (US Pat. 6,408,276) teach an automated real time crew optimization engine for repairing crew problems including open flights, open pairings, and broken

crews in airline operations, which generates multiple solutions in conformance with solution constraints by preprocessing the crew problems to generate potential solutions, and optimizing the potential solutions to provide optimized solutions. The preprocessing includes the use of self-connection methods, skipping-leg methods, and an extend-out-broken crew method. This reference does not teach a flight assignment method as claimed.

- Sokkappa's reference is directed to traffic analysis and control of an aircraft accordingly.

6. Dependent claims 2-14, 16-28, 30-34, and 36-40 are patentable because they are dependent on claims 1, 15, 29, and 35.

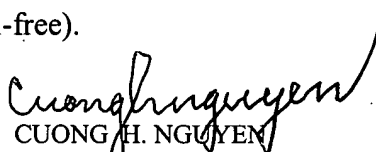
Conclusion

7. Claims 1-40 are patentable.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the examiner where this application is assigned is 571-273-6759.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CUONG H. NGUYEN
Primary Examiner
Art Unit 3661